IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 324 of 2005 (S/S)

1. Satpal
S/o Sri Sugan Chand
2. Hari Singh Bisht
S/o Sri Balam Singh

…….. Petitioners

Versus

1. Union of India
through its Secretary
Ministry of Human Resource & Development,
New Delhi.
2. University Grants Commission,
Bahadur Shah Zafar Marg, New Delhi.
3. Indian Institute of Technology
through Director, Roorkee, Uttaranchal.
4. Dean & Head of the Department
Water Resource Development & Management,
I.I.T. Roorkee, Uttaranchal.
5. Registrar, Indian Institute of Technology,
Roorkee, Uttaranchal.

…… Respondents

None for the petitioners.
Mr. Vipul Sharma, learned counsel for respondent Nos. 3, 4 & 5.

Hon'ble Prafulla C. Pant, J.

None present for the petitioners.

Learned counsel for respondent Nos. 3, 5 and 5 is present.

2) By means of this writ petition, the petitioners have sought their regularization in service. The petitioners appear to be daily wage labourers, working since long as Farm

Attendants, with the Indian Institute of Technology, Roorkee (Uttaranchal).

3) In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in 2006 A.I.R.S.C.W. Page 1991***, that daily wage workers and the persons employed without undergoing regular selection process under the rules, should not be permitted to be absorbed or regularized in the service, against the Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularise services of the petitioners.

4) Therefore, the writ petition is dismissed. Interim order dated 29.03.2005, is hereby, vacated. (All pending applications in this Petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt.: November 17, 2006
H.Negi